

PATENT
PC6947AJTLIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

 IN RE: U.S. PATENT NO.: 5,089,480 :
 ISSUED: FEBRUARY 18, 1992 :
 TO: STEPHEN P. GIBSON ET AL. :
 FOR: ANTIPARASITIC AGENTS :
 FROM: SERIAL NO. ^{07/}142,888 :
 OF: JANUARY 11, 1988 :

Hon. Commissioner of Patents and Trademarks
 Box Patent Extension
 Washington, DC 20231

Sir:

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APPLICATION FOR EXTENSION OF THE TERM OF UNITED
STATES PATENT NO. 5,089,480 UNDER 35 U.S.C. §156

SUPPLEMENTAL SUBMISSION

This paper is being submitted as a supplement to the application of PFIZER INC., filed September 26, 1996, for extension of the term of United States Patent No. 5,089,480 under 35 U.S.C. §156 for DECTOMAX (doramectin).

In numbered paragraph (9) on pages 3-5 of the paper captioned APPLICATION FOR EXTENSION OF THE TERM OF UNITED STATES PATENT NO. 5,089,480 UNDER 35 U.S.C. §156 in the submission of September 26, 1996, applicant states that United States Patent No. 5,089,480 claims the approved product. Claims 1, 2, 17, 18 and 19 are stated to claim the approved product per se, and claims 33 and 34 are stated to claim compositions containing the approved product.

Applicant now states further that claim 35 of the patent claims a composition of claim 33 in the form of an animal feedstuff or a premix or supplement for addition to animal feed. Therefore claim 35 reads on a composition containing the approved product. However the form of the composition as set forth in the claim is not suitable for the approved use of the approved product.

In addition, applicant now states further that U.S. Patent No 5,089,480 claims a method of using the approved product. Claim 36 of the patent reads on a method of using the approved product. Claim 36 of the patent claims a method of combatting parasite infections or infestations which comprises contacting the responsible organism, or the location of the organism, with an antiparasitic amount of a compound according to claim 1 of the patent. Claim 1 claims doramectin. Therefore claim 36 claims a method of using doramectin, the approved product. Also, doramectin is approved for use as an injectable solution for use for the treatment and control of parasitic infections in cattle. Therefore, claim 36 covers the approved use of the approved product.

Applicant respectfully requests that this paper be considered to be a part of the aforementioned application of PFIZER INC. for extension of the term of U.S. Patent No. 5,989,480.

Respectfully submitted,
PFIZER INC.

Date: September 27, 1996

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CERTIFICATION

I hereby certify that enclosed herewith is a duplicate copy of this paper.

Date: September 27, 1996

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EXPRESS MAIL CERTIFICATE



PFIZER DOCKET: PC6947AJTL U.S. PATENT
No. 5,089,480
TITLE: APPLICATION FOR EXTENSION OF PATENT TERM
UNDER 35 U.S.C. §136 (DECTOMAX)
APPLICANT: PFIZER INC.

"Express Mail" mailing label number HB310700104 US

Date of Deposit SEPTEMBER 27, 1996

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

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